IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

CIVIL APPLICATION NO. 356 OF 2005
IN
SECOND APPEAL NO. 1 OF 2005

Office Notes, Office Memoranda of of Coram, appearances, Court's orders and Registrar's orders : Court's or Judge's orders

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Ms. Deepa Sawant i/by C.G. Gavnekar for the applicant.

Mr. T.S. Ingale for the respondents.

CORAM: P.V. KAKADE, J.

DATED: 15TH JULY, 2005

P.C.:

1. Heard learned counsel for both parties. Perused the record.

2. This is an application for stay of the execution of the lower Court's order. The dispute was in respect of partition of the suit property which came to be decreed.

3. Taking into account all the relevant aspects, the application is made absolute in terms of prayer clause (a). However, it is clarified that the execution proceeding shall proceed according to law except for the fact that no actual possession shall be

handed over to the respective sharers pending the appeal.

With these directions, the application stands disposed of with no order as to costs.

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